

Appl. No. 10/712,668
Atty. Docket: 2003B116
Amendment dated December 5, 2005
Reply to Office Action mailed September 8, 2005

REMARKS/ARGUMENTS

Status of the Claims

Claims 1-3 and 5-47 are currently pending in the above-identified application. Claims 1, 5, and 42 have been amended. Claim 4 has been canceled. Claims 13-15 have been amended to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 13-15 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 13, 14, and 15 have been amended to recite "the oxygenate conversion zone" in place of "the oxygenate removal zone." As can be understood from the specification, the terms are interchangeable and Applicants have amended the claims to particularly point out and distinctly claim the subject matter which they regard as the invention. Applicants respectfully request withdrawal of this rejection and allowance of the claims.

Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1, 22, and 42 under 35 U.S.C. § 102(b) as being anticipated by WO 01/62382. The Examiner has rejected claims 1-3, 9-15, 17, 21-22, 42, and 45-47 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,657,022.

Applicants have amended claim 1 to incorporate the limitations of claim 4, specifically that the pretreatment zone is at a temperature the same as or higher than that of the reaction zone. Claim 5 has been amended to properly depend from claim 1 instead of now canceled claim 4. Claim 42 has been amended to incorporate the limitations of claim 4 and the further limitation of the pretreatment zone. Claim 4 was not rejected as being anticipated by either WO 01/62382 or U.S. Patent No. 6,657,022. Claim 4 has been canceled accordingly. Claims 2-3, 9-15, 17, and 21-22 depend, either directly or indirectly, from currently amended claim 1, which is not anticipated by either WO 01/62382 or U.S. Patent No. 6,657,022. Claims 45-47 depend from

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currently amended claim 42, which is not anticipated by either WO 01/62382 or U.S. Patent No. 6,657,022. Therefore, Applicants respectfully request withdrawal of this rejection and allowance of the claims.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 4-8, 16, 18-20, 23-41, 43, and 44 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,657,022, which is prior art only under 35 U.S.C. § 102(e). Under MPEP § 706.02(1)(2), Applicants state that Application 10/712,668 and U.S. Patent No. 6,657,022 were, at the time the invention of Application 10/712,668 was made, subject to an obligation of assignment to ExxonMobil Chemical Patents Inc. Therefore, U.S. Patent No. 6,657,022 is removed as a prior art reference under 35 U.S.C. § 103(a), and Applicants respectfully request withdrawal of this rejection and allowance of the claims.

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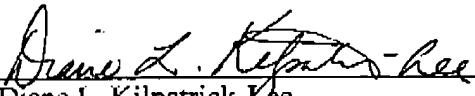
CONCLUSION

Applicants respectfully request allowance of the pending claims in light of the above amendments and remarks. Applicants invite the Examiner to telephone the undersigned attorney if there are any issues outstanding which have not been presented to the Examiner's satisfaction.

The Commissioner is hereby authorized to charge any additional fees that are required or credit any overpayment to Deposit Account No. 05-1712 referencing 2003B116US.

Respectfully submitted,

Date: December 6, 2005


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